

Northeast Texas Public Health District (NET Health)

Resolution No. R-2025-1

Adopting a Retail Food Permit Fee Schedule

Pursuant to Texas Health and Safety Code, Chapter 437, as Amended by SB 1008

WHEREAS, pursuant to Chapter 121, Subchapter E of the Texas Health and Safety Code, the Northeast Texas Public Health District, herein referred to as “NET Health,” a Public Health District in the state of Texas, is charged with protecting the health, safety, and well-being of the community by providing public health services as defined by Sec. 121.006 (d), which includes ensuring that retail food establishments operate in compliance with applicable state and local health regulations; and

WHEREAS, that Sec. 437.012 of the Texas Health and Safety Code provides for the establishment and collection of reasonable fees for permitting and inspecting retail food establishments; and

WHEREAS, Texas Health and Safety Code, Chapter 437, as amended by Senate Bill 1008 (SB 1008), passed by the 89th Texas Legislature, grants authority to local public health districts to regulate and permit retail food establishments for the protection of public health but to set fees not to exceed those established by Department of State Health Services; and

WHEREAS, SB 1008 requires NET Health to adopt and to submit a compliant fee schedule to the Texas Department of State Health Services State Registry of Retail Food Permit Fees, not later than sixty (60) days before the fee schedule takes effect; and

WHEREAS, Stakeholders are to be notified they can sign up for NET Health email updates at least 60 days prior to the effective date of the new fee schedule; and

WHEREAS, that NET Health’s intent is to provide a legally compliant, fair, and equitable fee schedule reflecting actual costs incurred by NET Health in the administration and enforcement of the retail food safety program, while balancing the economic impact on local businesses; and

WHEREAS, those sections of NET Health District Order 2024-2 now inconsistent with state law effective September 1, 2025, should be suspended; and

WHEREAS, the NET Health Board of Health desires to adopt a *NET Health Retail Food Permit Fee Schedule* to comply with state law;

NOW, THEREFORE, BE IT RESOLVED BY THE NET HEALTH BOARD OF HEALTH as follows:

Section 1: Adoption of Retail Food Permit Fee Schedule

NET Health hereby adopts the *NET Health Retail Food Permit Fee Schedule*, attached hereto as **Exhibit A** and incorporated by reference into this Resolution, for all retail food establishments operating within NET Health's jurisdiction.

The fee schedule covers the issuance and renewal of retail food permits, effective no sooner than 60 days following the date of submission of the Board approved NET Health Retail Food Permit Fee Schedule to the Texas Department of State Health Services State Registry of Permit Fees.

NET Health's CEO or designee is hereby authorized to submit the fee schedule and to notify stakeholders they may sign up for email notifications from NET Health to receive updates, such notification to occur no later than 60 days prior to the effective date of the revised fee schedule.

On its effective date, the *NET Health Retail Permit Fee Schedule* supersedes any prior schedule.

Section 2: Authority and Applicability

The *NET Health Retail Food Permit Fee Schedule* is adopted pursuant to authority granted by Texas Health and Safety Code, Chapter 437, as amended by SB 1008, and shall apply to all retail food establishments, including but not limited to restaurants, grocery stores, convenience stores, mobile food units (until June 30, 2026), temporary food vendors, and other entities preparing, handling, or selling food to the public within the District.

Section 3: Purpose and Intent

The purpose of *NET Health Retail Food Permit Fee Schedule* is to:

- Recover the reasonable costs related to the administration, permitting, inspection, and enforcement of retail food safety regulations; and
- Promote public health and safety through the effective regulation of food establishments; and
- Ensure transparency and fairness in the assessment of fees; and
- Comply with the statutory requirements of the Texas Health and Safety Code and SB 1008.

Section 4: Permit Categories and Fees

The *NET Health Retail Food Permit Fee Schedule* provides permit categories based on the type and size of establishment, risk classification, and scope of operations. Categories may include, but are not limited to:

- Fixed Retail Food Establishments (by square footage or risk level);
- Temporary Food Establishments (per event);
- Mobile Food Units, until June 30, 2026; and
- Plan reviews, late application fees, re-inspection fees, and other administrative charges as necessary.

The fees for each category are set forth in **Exhibit A**. The Board shall review and may update this schedule annually or as required to ensure alignment with program costs and statutory requirements.

Section 5: Due Dates, Renewal, and Penalties

- Permit fees are due prior to the issuance or renewal of any retail food permit.
- Permits must be renewed annually, or as otherwise specified, with late renewals subject to additional fees as outlined in the fee schedule.
- Failure to pay the required fees or to obtain the necessary permit may result in enforcement actions, including fines, suspension, or closure of the establishment, as provided by law.

Section 6: Fee Waivers and Adjustments

NET Health may consider requests for fee waivers or adjustments provided such waivers comply with applicable state law.

Section 7: Public Notice and Comment

NET Health shall provide public notice and an opportunity for stakeholders and affected parties to submit written or verbal comments. The Board shall consider all comments received before finalizing any changes to the fee schedule.

Stakeholders shall be invited to sign up for related email updates and alerts and shall be notified of anticipated revisions to the fee schedule at least 60 days prior to the planned effective date of same.

Section 8: Severability

If any provision of this Resolution or the attached *NET Health Retail Food Permit Fee Schedule* is determined to be invalid or unenforceable by a court of competent jurisdiction, such provision shall be severed, and the remainder of the Resolution and Fee Schedule shall remain in full force and effect.

Section 9: Effective Date

This Resolution shall become effective on the date adopted by the Board below. The *NET Health Retail Food Permit Fee Schedule* shall apply to all permit applications and renewals submitted on or after the effective date to be determined and established after NET Health's submission of the *NET Health Retail Food Permit Fee Schedule* to the State Registry of Permit Fees as required by law, and authorized herein, with such effective date to be at least 60 days after submission.

ADOPTED this 28 day of August, 2025 by the NET Health Board of Health



Laura Newsome

Chair, NET Health Board of Health



Dr. Kent Boozer

Secretary, NET Health Board of Health

Exhibit A

Attached

NET Health Retail Food Permit Fee Schedule

Permit fees for Retail Food Establishments

Initial Permit Proration Calculation

The Annual Fee is divided over twelve (12) months and adjusted to align the initial permit expiration date with annual billing cycle or with any other existing permit expiration date for other inspection services at the same establishment. Examples include but are not limited to: A hotel with a Commercial Pool/Spa Permit and a Continental Breakfast Food Establishment.

Nonprofit Fees for Service

Nonprofit organizations as defined in Part 1 Section 1.B. 34) are exempt from payment of the permit fee. Any civic or fraternal organization, charity, lodge, association, proprietorship, corporation, or church not meeting the definition of "nonprofit organization" must obtain a permit and pay the permit fee.

Risk Based Retail Food Permit Fees

Retail Food Establishments

Very Low Risk	\$345.00
Low Risk	\$405.00
Medium Risk	\$505.00
High Risk	\$665.00
Very High Risk	\$773.00

Mobile Food Units

All permits will be prorated to Expire June 30, 2026. For food service continuity all Mobile Food Vehicle Permits must be obtained and approved by TX DSHS As of July 1, 2026

Very Low Risk	\$230.00
Low Risk	\$280.00
Medium Risk	\$330.00
High Risk	\$430.00
Very High Risk	\$680.00
Very Low Risk Pushcart	\$150.00
Low Risk Pushcart	\$250.00

Retail Food Establishments with Fixed Permit Fees

Farmers Market Vendor	Low Risk-Farmers Market Vendor	\$25.00
	Medium Risk-Farmers Market Vendor	\$50.00
	High Risk-Farmers Market Vendor	\$100.00
Self-Service Market		\$50.00
Temporary Food Establishments	Temporary Food Vendor	\$52.00

Plan Review and Other Associated Fees for Service

Administrative Penalty Fees

Level 1	\$100.00
Level 2	\$200.00
Level 3	\$300.00
Level 4	\$400.00
Level 5	\$500.00

NET Health Retail Food Permit Fee Schedule

Inspection Fees

Re-Inspection	\$100.00
Re-Instatement Inspection	\$150.00
Requested Inspection	\$150.00

Plan Review Fee

Change of Ownership - No Change to Menu, Concept Change, or Equipment Layout	\$175.00
Coordinator Application Plan Review for Single Event or Celebration	
Nonprofit	Fee Exempt
1-5 Temporary Food Vendors	\$25.00
6-10 Temporary Food Vendors	\$75.00
11 plus Temporary Food Fendors	\$175.00
Farmers Market Plan Review	\$25.00
Food Truck Park Plan Review	
2-4 Mobile Food Vehicles	\$75.00
5-10 Mobile Food Vehicles	\$125.00
11 plus Mobile Food Vehicles	\$175.00
Mobile Food Establishment Plan Review	\$200.00
Remodel	\$175.00
Retail Food Establishment Plan Review	
New Construction, Conversion, Change of Ownership with Modifications	
0-999 square feet	\$175.00
1,000 - 4,999 square feet	\$200.00
5,000 - 24,999 square feet	\$400.00
25,000 plus square feet	\$600.00

Late Fees

Annual Food Establishment Late Fee	\$100.00
Event Coordinator Late Fee	\$100.00
Temporary Food Vendor Late Fee	\$100.00